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# UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

Christoper Kohls,		Case No. 2:24-cv-02527-JAM-CKD
v.	Plaintiff,	Stipulation to Modify Summary Judgment Briefing Schedule
Rob Bonta, et al.,		Judge: John A. Mendez
	Defendants.	
The Babylon Bee, LLC, et al.		Case No. 2:24-cv-02787-JAM-CKD
v.	Plaintiffs,	
Rob Bonta, et al.,		
	${\it Defendants}.$	
Rumble Inc., et al.		Case No. 2:24-cv-03315-JAM-CKD
v.	Plaintiffs,	
Rob Bonta, et al.		
	Defendants.	

### **STIPULATION**

WHEREAS, on November 15, 2024 (ECF No. 26), the Court ordered a summary-judgment briefing schedule that was agreed to by all parties then in the case;

WHEREAS, on December 20, 2024 (ECF No. 32), the Court consolidated Rumble Inc. v. Bonta, No. 24-cv-03315-JAM-CKD, with Kohls v. Bonta, No. 24-cv-02527-JAM-CKD. WHEREAS, in light of the addition of the new parties, all parties to these

new briefing schedule that will serve the goals of judicial efficiency by coordinating all summary-judgment briefing and reducing the potential for duplication;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the parties and subject to Court approval, as follows:

The parties agree to the following schedule:

cases agree that the summary-judgment briefing schedule set forth at ECF No. 26

needs to be modified, and the parties have met and conferred and agreed upon a

- a. By **February 19, 2025**, Plaintiffs shall file their opening consolidated summary-judgment briefs two in total, one concerning California
  - Assembly Bill ("AB") 2655 and one concerning AB 2839 each no more than **45 pages**.
  - b. By April 16, 2025, Defendants shall file their consolidated crossmotions for summary judgment and/or opposition briefs two in total, one concerning AB 2655 and one concerning AB 2839 each no more than 45 pages.
  - c. By May 16, 2025, Plaintiffs shall file their consolidated opposition and/or reply briefs — two in total, one concerning AB 2655 and one concerning AB 2839 — each no more than 30 pages.
  - d. By June 6, 2025, Defendants shall file their consolidated reply briefs
     two in total, one concerning AB 2655 and one concerning AB 2839 —
    each no more than 30 pages.
- 2. The parties agree to proceed immediately to summary judgment without the need for any discovery at this time. In the event that the parties determine that discovery is needed after the cross-motions are filed, the parties shall discuss and agree to a limited period of discovery and accompanying extension of time to file any remaining briefs.

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- 3. The parties request the proposed timeline given the addition of *Rumble Inc.*,; Plaintiffs' desire to coordinate their separate summary-judgment motions; and the upcoming holidays. Additionally, the Plaintiffs anticipate that a fourth case will eventually be consolidated with this one. *See* Related Case Order, ECF No. 31 (relating *X Corp. v. Bonta*, No. 2:24-cv-03162-WBS-CSK). All parties have met and conferred with counsel for X Corp., and anticipate that X Corp. will agree to participate in this briefing schedule.
- 4. The parties agree that the Court may move to summary judgment without Defendants first filing an answer. See, e.g., Mann v. Lee, 2009 WL 5178095, at \*2 (N.D. Cal. Dec. 22, 2009) (citing Marquez v. Cable One, Inc., 463 F.3d 1118, 1120 (10th Cir. 2006)).

1	DATED: December 20, 2024	
$_2$		
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## Case 2:24-cv-02527-JAM-CKD Document 36 Filed 12/27/24 Page 6 of 8

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# UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

Christoper Kohls,		Case No. 2:24-cv-02527-JAM-CKD
v.	Plaintiff,	ORDER Modifying Summary Judgment Briefing Schedule
Rob Bonta, et al.,		Judge: John A. Mendez
	Defendants.	
The Babylon Bee, LLC	C, et al.	Case No. 2:24-cv-02787-JAM-CKD
v.	Plaintiffs,	
Rob Bonta, et al.,		
	${\it Defendants}.$	
Rumble Inc., et al.		Case No. 2:24-cv-03315-JAM-CKD
v.	Plaintiffs,	
Rob Bonta, et al.		
	Defendants.	

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Before the Court are Plaintiff Christopher Kohls, Plaintiffs The Babylon Bee, LLC and Kelly Chang Rickert, Plaintiffs Rumble Inc. and Rumble Canada Inc., and Defendants Rob Bonta and Shirley N. Weber's joint stipulation to modify the summary-judgment briefing schedule ordered on November 15, 2024 (ECF No. 26).

The Court **ORDERS** the following schedule:

- 1. By February 19, 2025, Plaintiffs shall file their opening consolidated summary-judgment briefs — two in total, one concerning California Assembly Bill ("AB") 2655 and one concerning AB 2839 — each no more than 45 pages.
- By April 16, 2025, Defendants shall file their consolidated cross-2. motions for summary judgment and/or opposition briefs — two in total, one concerning AB 2655 and one concerning AB 2839 — each no more than 45 pages.
- 3. By May 16, 2025, Plaintiffs shall file their consolidated opposition and/or reply briefs — two in total, one concerning AB 2655 and one concerning AB 2839 — each no more than **30 pages**.
- By **June 6, 2025**, Defendants shall file their consolidated reply briefs 4. two in total, one concerning AB 2655 and one concerning AB 2839 — each no more than **30 pages**.

Dated: December 26, 2024

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ SENIOR UNITED STATES DISTRICT JUDGE